

REMARKS

Applicants note with appreciation that Claims 1, 3, 5-8, 14, 16-18, 22-24, and 29-37 have been allowed.

Claim 15 stands rejected under 35 U.S.C. §102(e) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over Kojima (2003/0060541). Applicants respectfully traverse this rejection.

Kojima discloses electrodeposition coating compositions. Kojima does not, however, disclose coating compositions that include any of the molybdenum and tungsten catalysts required by Applicants' invention.

Kojima does not therefore anticipate Applicants' invention as claimed in Claim 15.

It is stated in the Office Action that:

The structure of the polymer of the coated substrate would be the same regardless of the catalyst used, which is present in a small amount. Often, the catalyst migrates out of the polymer after curing. (at page 2, lines 25-27 of the Office Action)

Applicants would point out, however, that Kojima teaches that the molybdenum compounds disclosed therein are **pigments** - not catalysts. Pigments are not expected to migrate out of the polymer.

The position stated in the Office Action is not therefore supported by the teachings of the Kojima reference.

Further, if it were assumed that the catalyst of the claimed invention does behave as maintained in the Office Action, the above-quoted argument would support Applicants' position that a substrate coated with the claimed composition from which the catalyst has migrated is not anticipated by the pigment-containing coating of Kojima in which the pigment remains in the coating.

The teachings of Kojima can not therefore be construed to "disclose" the presently claimed invention in the manner necessary to support a rejection under 35 U.S.C. §102.

Withdrawal of this rejection is therefore requested.

Applicants would further note that Kojima is directed to an electrodeposition coating composition which is baked at a temperature of from 120 to 260°C, preferably 160 to 220°C. (at page 6, paragraph 0093) In contrast, the present invention is directed to a baked system which can be cured at temperatures of not more than 140°C. (page 5, lines 9-15 and page 7, lines 12-17 of the specification)

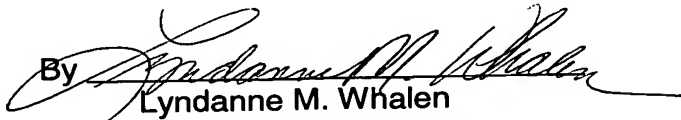
One skilled in the art addressing the problem which is addressed by Applicants' invention (i.e., a low temperature baked coating) would not consider the teachings of the Kojima reference relevant to that problem. That skilled artisan reading the Kojima reference at the time Applicants made their invention would not therefore be guided by the teachings of that reference to the low temperature baked coatings or a substrate coated with such low temperature baked coatings of the presently claimed invention.

The teachings of Kojima do not therefore render Applicants' claimed invention obvious.

Withdrawal of this rejection is therefore respectfully requested.

In view of the above remarks, reconsideration of Claim 15 and allowance of Claims 1, 3, 5-8, 14-18, 22-24, 29-37 are respectfully requested.

Respectfully submitted,

By 
Lyndanne M. Whalen
Attorney for Applicants
Reg. No. 29,457

Bayer MaterialScience LLC
100 Bayer Road
Pittsburgh, Pennsylvania 15205-9741
(412) 777-3843
FACSIMILE PHONE NUMBER:
(412) 777-3902
s:\shared\jmf\LMW7979.rsp